

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

LINDA JOAN TROHOSKE : Bankruptcy Case No. 17-11140TPA
: Chapter 13
Debtor(s) :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated November 23, 2020, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which *Status Conference* is scheduled for N/A remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- X **1.** For the remainder of the Plan term, the periodic Plan payment is to be \$1365.00 as of March 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ **2.** The length of the Plan is increased to a total of ___ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ **3.** _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ **4.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
Claimant: _____ Claim #: _____
Claimant: _____ Claim #: _____
Claimant: _____ Claim #: _____
- X **5.** Additional Terms: (a) Attorney fees are "no look" based on retainer of \$500.00 plus \$1,000 LMP "no look" fee.
- X **6.** The Interim Confirmation Order dated *January 26, 2018*, Doc. 23 is **VACATED**.
The Confirmation Order dated *June 10, 2019*, Doc 86 is **VACATED**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims, the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

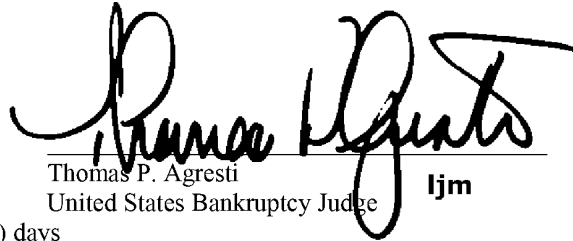
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: February 18, 2021
(Effective Date)



Thomas P. Agresti
United States Bankruptcy Judge **ljm**

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Linda Joan Trohoske
Debtor

Case No. 17-11140-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Feb 18, 2021

User: culy
Form ID: pdf900

Page 1 of 3
Total Noticed: 24

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 20, 2021:

Recip ID	Recipient Name and Address
db	+ Linda Joan Trohoske, 2530 North Tracy Drive, Erie, PA 16505-4412
cr	#+ FIFTH THIRD BANK, 2251 Rombach Ave, Wilmington, OH 45177-1995
cr	+ Fifth Third Bank, N.A., 14841 Dallas Pkwy Suite 425, Dallas, TX 75254-8067
cr	+ MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, OH 45177-1995
14732121	+ Cole Taylor Bank, 2350 Green Road, Suite 100, Ann Arbor, MI 48105-1588
15059561	#+ Fifth Third Bank, 2251 Rombach Ave., Wilmington, Ohio 45177-1995
15207287	+ Fifth Third Bank, N.A., 5001 Kingsley Drive, IMOBWW, Cincinnati, Ohio 45227-1114
14732125	#+ MB Financial Bank, 2251 Rombach Avenue, Wilmington, OH 45177-1995
14716590	+ MB Financial Bank, N.A., c/of Law Office of Gregory Javardian LLC, 1310 Industrial Blvd., 1st Floor, Suite 101, Southampton, PA 18966-4030
14726032	+ MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, Ohio 45177-1995
14732129	+ Millcreek Township Tax Collector, 3608 West 26th Street, Erie, PA 16506-2059
14732130	Mortgage Electronic Registration, Systems, Inc., P.O. Box 2026, Flint, MI 48501-2026

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14732118	Email/Text: legal@arsnational.com	Feb 19 2021 03:29:00	ARS National Services Inc., P.O. Box 469046, Escondido, CA 92046-9046
14732119	+ Email/Text: legal@arsnational.com	Feb 19 2021 03:29:00	ARS National Services Inc., Dept. 110840, P.O. Box 1259, Oaks, PA 19456-1259
14728858	+ Email/Text: bankruptcy@cbtnc.com	Feb 19 2021 03:31:00	Crescent Bank & Trust, P.O. Box 61813, New Orleans, LA 70161-1813
14732124	Email/Text: JCAP_BNC_Notices@jcap.com	Feb 19 2021 03:30:00	Jefferson Capital System, 16 McLeland Road, St. Cloud, MN 56303
14742414	Email/Text: JCAP_BNC_Notices@jcap.com	Feb 19 2021 03:30:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
14732120	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 19 2021 02:34:43	Chase Card, P.O. Box 15298, Wilmington, DE 19850
14753276	+ Email/Text: bankruptcydpt@mcmcg.com	Feb 19 2021 03:30:00	MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011
14732128	+ Email/Text: bankruptcydpt@mcmcg.com	Feb 19 2021 03:30:00	Midland Funding LLC, 2365 Northside Drive #300, San Diego, CA 92108-2709
14732132	+ Email/PDF: cbp@onemainfinancial.com	Feb 19 2021 02:52:13	One Main Financial, P.O. Box 1010, Evansville, IN 47706-1010
14732131	+ Email/PDF: cbp@onemainfinancial.com		

District/off: 0315-1

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		Feb 19 2021 02:34:30	One Main Financial, 6801 Colwell Blvd., Irving, TX 75039-3198
14717633	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 19 2021 02:44:19	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14732133	+ Email/PDF: gecsedl@recoverycorp.com	Feb 19 2021 02:34:31	Synchrony Bank, ATTENTION: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061

TOTAL: 12

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MB Financial Bank, National Association
cr		MB Financial Bank, National Association
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14732122	*+	Crescent Bank & Trust, P.O. Box 61813, New Orleans, LA 70161-1813
14732126	*+	MB Financial Bank, N.A., c/of Law Office of Gregory Javardian LLC, 1310 Industrial Blvd., 1st Floor, Suite 101, Southampton, PA 18966-4030
14767007	*+	MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, Ohio 45177-1995
14732123	##	First Progress Card, P.O. Box 84010, Columbus, GA 31908-4010
14732127	##+	MB Financial Bank, N.A., P.O. Box 5000, Wilmington, OH 45177-5000
14732134	##+	Tri-State Allergy & Asthma LLC, 2409 State Street, Suite D, Erie, PA 16503-1856

TOTAL: 2 Undeliverable, 4 Duplicate, 3 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 18, 2021 at the address(es) listed below:

Name	Email Address
Alexandra Teresa Garcia	on behalf of Creditor MB Financial Bank National Association ecfmail@mw-c-law.com, ecfmail@ecf.courtdrive.com
Ann E. Swartz	on behalf of Creditor Fifth Third Bank N.A. ecfmail@mw-c-law.com, ecfmail@ecf.courtdrive.com
Brian Nicholas	on behalf of Creditor MB Financial Bank National Association bnicholas@kmlawgroup.com
Karina Velter	on behalf of Creditor Fifth Third Bank N.A. amps@manleydeas.com
Michael S. Janin	on behalf of Debtor Linda Joan Trohoske mjanjanin@quinnfirm.com mboni@quinnfirm.com;mmbquinnbankruptcy@gmail.com;mtrayer@quinnfirm.com;gbebo@quinnfirm.com;knottingham@quinnfirm.com

Office of the United States Trustee

District/off: 0315-1

User: culy

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Form ID: pdf900

Total Noticed: 24

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Thomas Song

on behalf of Creditor MB Financial Bank National Association pawb@fedphe.com

TOTAL: 8